

MINUTES OF MEETING BOARD OF PUBLIC WORKS HELD APRIL 2, 1940

The Board of Public Works met in the office of the Board, Union Trust Building, Baltimore, Maryland, on April 2, 1940.

Present: Herbert R. O'Connor, Governor
J. Millard Tawes, Comptroller
Hooper S. Miles, Treasurer

Mr. Walter N. Kirkman, Director of the Department of Budget and Procurement, was also present.

BOARD OF EDUCATION: - Anne Arundel County

The Secretary brought to the attention of the Board a letter received from Mr. George Fox, County Superintendent of Schools for Anne Arundel County, calling attention to an injunction issued by Judge Chestnut relative to colored teachers' salaries in Anne Arundel County. It was the feeling of the Board that since there is no provision in the State Budget to provide any financial assistance in such cases to the counties that there is nothing that can be done at this time as far as the Board is concerned.

BUREAU OF MINES:

The Secretary brought to the attention of the Board a letter received from Dr. J. J. Rutledge, Chief Mine Engineer, calling attention to the inadequacy of the five cents (.05) per mile for traveling expenses to cover the use of personal cars by employees of the Bureau of Mines in the work done by those employees in Allegany and Garrett Counties.

The Board felt it could not make any exceptions to the order issued at its instance sometime ago approving the rate of five cents per mile for traveling expenses in such cases.

CHESAPEAKE BIOLOGICAL LABORATORY:

The Secretary brought to the attention of the Board a letter received from Mr. Joseph L. Wheeler, Librarian of Enoch Pratt Free Library, Baltimore, calling attention to the bulletin published by Dr. R. V. Truitt, Director of the Chesapeake Biological Laboratory, on "Our Water Resources and Their Conservation", and requesting that the sum of \$153.00 be made available to cover the cost of printing an additional quantity of the pamphlet.

The Board felt that the pamphlet was very interesting and desirable but did not feel it could afford to use \$135.00 of its appropriation for the printing of additional copies of the pamphlet. It was suggested that it would be agreeable to the Board if the Conservation Department could find it possible to take care of this expense out of its budget.

COMMISSIONER OF LOAN LAWS:

Mr. Kirkman brought to the attention of the Board proposed lease for office space for the Commissioner of Loan Laws, in the Calvert Building, Baltimore, the lease being for the term of one year, beginning April 1, 1940, at a rent of \$2,340.00 per annum, payable monthly in advance.

Mr. Kirkman recommended approval of the lease, and it was duly approved by the Board.

COURT OF APPEALS:

The Governor mentioned the fact that up to this time nothing had been done in connection with renovations to the Court of Appeals Building and suggested that since the Court would be recessing for the summer months, it would be desirable, at this time, to take up with the Court the question of the work to be done.

The Board suggested that the Governor get in touch with the Court and go over the matter with them. It was stated that there is approximately \$25,000.00 available for the work and that while this amount would not be sufficient to cover all the work which would be desirable, the Court would doubtless have some preference as to the best use to be made of the money available at this time.

GOVERNOR RITCHIE CELEBRATION:

The Secretary brought to the attention of the Board a letter received from C. Carroll Lee, Chairman of the Parade Committee of the Governor Ritchie Highway Dedication Celebration, requesting that the Committee be allowed the use of the State Office Building parking lot on April 27th, the day of the parade.

The request was approved with the understanding that someone connected with the staff of the Superintendent of Public Buildings and Grounds would supervise the use of the parking lot so that the parking will be done in as orderly a manner as possible.

MARYLAND PUBLICITY COMMISSION:

A budget prepared by the Maryland Publicity Commission, itemizing the proposed expenditure of the appropriation available to it for the fiscal year 1940, was submitted to the Board by Mr. Kirkman, with his recommendation. \$10,500.00

The budget, as submitted, was approved by the Board.

MARYLAND STATE POLICE:

Mr. Kirkman brought to the attention of the Board a proposed lease covering the Sub-Station of the Maryland State Police at Conowingto under which the State is to receive the use of the premises for a period of ten years at the rate of \$1.00 per year. The standard form of lease was amended to cover the changes necessary because of the circumstances under which the State is to receive use of the property, and also to comply with certain requirements of the Works Progress Administration which furnished some help in connection with getting the property in shape for occupancy, all of which changes were approved by the State Law Department. This lease to commence October 15, 1939.

The lease was approved by the Board.

MARYLAND TUBERCULOSIS SANATORIUM:

The Secretary brought to the attention of the Board a letter, dated March 16, 1940, received from Dr. Victor F. Cullen, Superintendent of the Maryland Tuberculosis Sanatorium, submitting several matters in connection with construction at the Henryton Branch and the Mt. Wilson Branch. Dr. Cullen requested that they be allowed to obtain from the Works Progress Administration as much help as possible in connection with the work at Mt. Wilson and Henryton, and that they be allowed to purchase through the Department of Budget and Procurement the necessary sand, stone, bricks and gravel that go into the foundations for the buildings.

While Dr. Cullen suggested that the bills for these materials could be paid out of their current operating budget with reimbursement coming from the money available to the Maryland Tuberculosis Sanatorium in the August 15, 1940 installment of the General Bond Issue of 1939, the Board felt it would be better to charge these purchases direct to the account of the Maryland Tuberculosis Sanatorium in the General Bond Issue of 1939, with any overdraft occurring at this time, between now and August 15, 1940, to be off-set by the funds to be credited to the account at August 15, 1940.

Mr. Kirkman stated that he was present at the meeting of the Board of the Maryland Tuberculosis Sanatorium, held March 15, 1940, and that he recommended the request made by Dr. Cullen in his letter of March 16, 1940.

The Board approved Dr. Cullen's request, as recommended by Mr. Kirkman.

MILITARY DEPARTMENT: Annapolis Armory

General Milton A. Reckord appeared before the Board and advised that a public meeting had been held in Annapolis in connection with the site previously selected for the new Annapolis Armory and that objections had been raised as to the site selected. Gen. Reckord stated that it seemed to be the sense of the meeting that the Carroll Street site would be more desirable. It was felt, however, that the lack of funds preclude the use of the Carroll Street site, although Gen. Reckord stated he thought it would be possible to secure more funds from the Works Progress Administration than had first been anticipated, and he suggested that the matter might be delayed a short time pending his being able to learn definitely whether more funds can be made available.

The Board was agreeable to Gen. Reckord's suggestion.

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The Secretary brought to the attention of the Board a letter received from the Annapolis Chamber of Commerce protesting on their own behalf and in the name of the Civic Clubs and the P.T.A. the selection of Constitution Avenue, Annapolis, as the new Armory site.

This matter has been referred to above, in these minutes.

MINER'S HOSPITAL:

Mr. Kirkman brought up the question of the disposition of fees received by the Miners' Hospital for X-ray work. The matter seems to devolve upon whether the technician doing the X-ray work would receive more compensation from a fixed salary or from fees to be received from the work. It seemed that an arrangement was made sometime ago to pay for the services at the rate of \$50.00 per month but the fees received exceeded this amount, slightly, and it was felt that the fees should be made available to the operator.

The Board stated it was agreeable to any arrangement which might be recommended by Mr. Kirkman.

PULASKI MEMORIAL:

The Governor stated that he has been contacted, lately, relative to the State's appropriation in connection with the Memorial to be erected to County Pulaski in Baltimore City, for which there is an appropriation of \$15,000.00 in the Bond Issue authorized by the General Assembly of 1931. The Governor stated that while the money was available, he felt the State should have some representation on the Committee which is to handle the work in connection with the erection of the Memorial so that the State would be assured that the best use possible would be made of the money it is contributing to the cost of the Memorial.

The Board suggested that the Governor appoint a committee to co-operate with the corporation which has been formed for the purpose of erecting the Memorial, which suggestion was agreeable to the Governor and he stated he would take care of the matter in due course.

ROSEWOOD STATE TRAINING SCHOOL:

Dr. George A. Johns, Superintendent of Rosewood State Training School, Mr. P. B. H. McFeely, Secretary of that institution's Board, Mr. Henry Powell Hopkins, architect, and Mr. J. L. Eiser, consulting engineer, appeared before the Board in connection with bids which had been received for construction at the institution, for which an appropriation is contained in the General Bond Issue of 1939. A letter submitting, in detail, the bids received and making certain recommendations was read, and considered.

It was agreed to approve the recommendation made by Rosewood State Training School that the bid of the Costanza Construction Company for the erection of buildings at a net bid of \$228,710.00.

The bids for the work of alterations to Power Plant were considered, and

*New Dormitory, Laundry, remodel etc.
Dormitory*

while it appeared that the net bid of Lloyd E. Mitchell, Inc. of \$91,905.00 was low, it was stated, in discussion, of the work to be done, that because of lack of funds, the proposed work in connection with fire protection had been eliminated. The Board felt that since the money was specifically appropriated in the General Bond Issue for fire protection, and that this is an important item to be considered, it would be more desirable to include the fire protection, even though this meant elimination of the purchase of certain laundry equipment. While the present laundry equipment is not in very good shape, it was felt it would be more desirable to continue using this equipment and replace it at some later date than to defer the fire protection work.

Accordingly, the Board requested that Rosewood State Training School give further consideration to this matter and submit revised recommendations.

ST. MARY'S FEMALE SEMINARY:

The Secretary brought to the attention of the Board a letter from Mr. S. M. Jones, President of the Board of Trustees of St. Mary's Female Seminary, advising that bids had been received for the construction of a Gymnasium and Recreation Building at the institution for which an appropriation of \$85,000.00 is included in the General Bond Issue of 1939. The tabulation of the bids revealed that G. Walter Tovell, Inc. had submitted the lowest bid received, \$78,597.00, and since the bid, plus the architect's fee, etc., are within the appropriation of \$85,000.00, the Board of Trustees requested that they be authorized to award a contract to G. Walter Tovell, Inc. for the work.

This request was approved by the Board of Public Works.

SPRINGFIELD STATE HOSPITAL:

The Secretary brought to the attention of the Board a request from the Springfield State Hospital that they be authorized to issue an order to Thomas Hicks, Inc. for additional work to be done in connection with the contract in course of execution at the institution at this time by the contractor, for installing a spur for removing ashes from the present Boiler Room pit, as per detail on plan #953-D-2, of the Frederick Engineering Company, at a cost of \$449.00, which cost will be reduced to \$189.00 if the plans of the Frederick Engineering Company showing the

** new location of the ash handling tank are approved. **

The Hospital was authorized to award the additional work as set forth above.

STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS:

Mr. Kirkman submitted to the Board a budget for the State Board of Funeral Directors and Embalmers for the fiscal year 1940, with his recommendation that it be approved.

The budget was approved by the Board.

STATE DEPARTMENT OF FORESTRY:

The Secretary brought to the attention of the Board a letter received from Dr. H. C. Byrd, President of the University of Maryland, requesting the approval of the Board to the transfer of the Department of Forestry and the Geological and Economic Survey to College Park. Dr. Byrd advised that the request was duly approved by the Board of Regents of the University of Maryland.

The Secretary also brought to the attention of the Board a letter received from Mr. F. W. Besley, State Forester, dated March 16, 1940, requesting authority for the purchase of several tracts of land for acquisition to the State Forests and State Parks. Mr. Besley also requested approval for the purchase of materials and equipment as itemized in a list submitted with his letter, the cost of which is given as \$26,050.03. The cost of the land and equipment is chargeable to the appropriation of \$100,000.00 in the General Bond Issue of 1939 to the State Department of Forestry for the acquisition and maintenance of State Forests and Parks.

** Letter from Springfield State Hospital, April 25, 1940, advised the extra work in amount \$189.00 should have been added to contract of Chas. T. King, Inc. rather than Thomas Hicks, Inc.

The Board felt it desirable to defer action in the matter of the request of the University of Maryland for the transfer of the State Department of Forestry and the Geological and Economic Survey to College Park until further information could be made available. It was felt that action should not be taken at this time on the request of the State Department of Forestry for the purchase of land and equipment, as outlined in the letter of Mr. Besley, of March 16, 1940. The Board decided that it would be well for the Board of Regents and Dr. Byrd to submit to the Board of Public Works, for its consideration, the plans they have in mind for the future of the State Department of Forestry and the Forest and Park System for which the Legislature made the appropriation of \$100,000.00 in the General Bond Issue of 1939.

STATE BOARD OF LAW EXAMINERS:

Mr. Kirkman took up with the Board the question of a budget for the State Board of Law Examiners for the current fiscal year and read a letter which had been received from Chief Judge Carroll T. Bond, Court of Appeals.

The Board felt that this matter could be best handled if Mr. Kirkman would get in touch with Judge Bond and go over it with him. Mr. Kirkman agreed to do this.

State INDUSTRIAL ACCIDENT COMMISSION:

Mr. Kirkman brought to the attention of the Board the question of removal of the offices of the State Industrial Accident Commission from their present space on the seventh floor of the Equitable Building to other space in the same building or to space in some other building.

It was agreed that since the present lease of the space now used has several months to run and there is nothing urgent about taking up the question of moving to other quarters, the matter could very well be deferred for the time being, especially since there will be a change in the personnel of the membership in the near future.

STATE INSURANCE DEPARTMENT:

Mr. Kirkman took up with the Board the matter of examination fees and traveling expenses received by certain employes of the State Insurance Department, in addition to salaries provided for these employes in the Budget. Up to the present time, these employes have been paid on a per diem basis for the work done by them in the examination of insurance companies, the amount received from the companies being turned over to the examiners together with expenses at the rate of \$8.00, both fees and expenses being paid by the insurance companies to the State of Maryland and the employes being reimbursed upon vouchers submitted to the State Comptroller.

After discussing the matter fully and reviewing the situation as it has existed in the past, and the efforts which have been made to bring about some change, it was agreed that any change to be made would have to be the subject of legislation at the next session of the General Assembly, and when the Budget to be submitted to the next General Assembly is being prepared.

STATE OFFICE BUILDING:

The Secretary brought to the attention of the Board a letter from The Davis Construction Company requesting that the Board reconsider its decision to withhold \$2,500.00 of the balance due the company under its contract for the construction of the new State Office Building, Annapolis, Maryland, to cover any possible expense to which the State might be subjected in making certain repairs which are necessary.

The Board was still of the opinion that it would be desirable to withhold payment of this balance in order to assure itself that the work of making the repairs would not be deferred unnecessarily.

STATE ROADS COMMISSION:

Mr. Kirkman brought to the attention of the Board proposed lease covering space to be furnished the State Roads Commission by the Board of County Commissioners of Queen Anne County, at Centreville, for the use of the State Roads Commission at a rental of \$10.00 per month, for a term of one year beginning January 1, 1940.

The lease was approved by the Board.

TRAVELING EXPENSES:

Mr. Kirkman called attention to the apparent lack of supervision by some central state agency of expenses incurred by various departments in the attendance of the heads of those departments, and others, at conventions. Mr. Kirkman also called attention to the amount of money being spent by the various state agencies in printing annual reports.

It was agreed that consideration should be given to these items, but that the proper time for such consideration to be given is when the Budget is being prepared.

U. S. COAST GUARD: - Curtis Bay, Maryland

The Secretary brought to the attention of the Board a letter addressed to the Governor by Captain LeRoy Reinburg, U. S. Coast Guard, stating that the District Army Engineer at Baltimore, to whom had been made an application for permit to construct a bridge across Arundel Cove at the northeastern boundary of the Coast Guard Reservation, in order to connect the 29 acres on the Reservation on the east side of Arundel Cove with the 36 acres on the western side, refusing to permit the construction of the bridge because he did not feel that the letter of the Board of Public Works, written August 23, 1939, constituted legal authority from the State of Maryland, as required in the case of bridges constructed over navigable waters.

Capt. Reinburg stated that the water over which it is proposed to construct a bridge is not navigable water and requested that the Board furnish the Coast Guard with a letter stating that, in their opinion, that portion of Arundel Cove is not navigable water.

After considering the information before it as to the condition of the territory and the water conditions where the bridge is to be constructed, the Board was entirely convinced that the water at that point cannot be regarded as navigable and that, under the circumstances, there is no legal requirement for the approval of the Board of Public Works for the construction of the bridge. The Secretary was instructed to advise the U. S. Coast Guard that it does not consider the water at the point in Arundel Cove where it is proposed to construct a bridge, navigable water and that there is no legal requirement for the approval of the Board to the construction of the bridge.

WORKMEN'S COMPENSATION INSURANCE:

Mr. Krikman took up with the Board the question of the various State Agencies taking out insurance under the Workmen's Compensation Law. He stated that he had been in touch with Mr. Wm. F. Broening, Chairman of the State Industrial Accident Commission with the view to going over the personnel of the State Agencies to determine the various occupations which would be classed as extra-hazardous, and which would require insurance, under the law.

Mr. Broening referred Mr. Kirkman to The State Law Department for the information but The State Law Department stated that it would be unable to compile this information because of not having the facts upon which to base their conclusions.

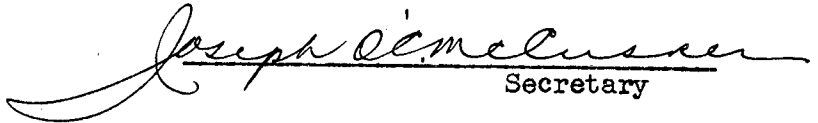
It was the feeling of the Board that since it is the duty of the State Industrial Accident Commission to administer the Workmen's Compensation Law and thereby be in a position to decide as to the occupations which

are extra-hazardous and which should be covered by Compensation Insurance, that the information should come from that Commission.

Mr. Kirkman was instructed to renew his efforts to obtain the information he desires from that source.

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There being no further business, the meeting was adjourned.


Secretary

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LAND OFFICE:

The Governor called attention to a request from the Commissioner of the Land Office for additional funds for indexing work so that the indexing of the office, which is considerably behind at this time, can be brought closer to date. The money available to the Land Commissioner in his budget for the current year is insufficient to permit of this back work being caught up. The Governor requested that there be made available to the Land Office, for this indexing work, the sum of \$500.00 out of the Contingent Fund of the Board of Public Works.

The request of the Commissioner of the Land Office was approved by the Board.


Secretary